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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/825,231	04/03/2001	Keith Ludwig	BTI 01.01 A	9805
27667	7590	03/02/2005	EXAMINER	
HAYES, SOLOWAY P.C. 130 W. CUSHING STREET TUCSON, AZ 85701			GARG, YOGESH C	
			ART UNIT	PAPER NUMBER
			3625	

DATE MAILED: 03/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/825,231

Applicant(s)

LUDWIG ET AL.

Examiner

Yogesh C Garg

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1,8-11,13,14,16,17 and 19-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,8-11,13,14,16,17 and 19-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Response to Amendment***

1. Applicant's election without traverse of claims 1, 3-4, 8-11, 13-14, 16-17, 19, 20-21, 23 and 27 in the reply filed on 12/3/2004 is acknowledged. The applicant has canceled the non-elected claims 2, 5-7, 12, 15, 18, 22, 24-26 and 28-34. The applicant has also canceled the following elected claims: 3-4, 23 and 27. The applicant has amended claims 1, and 8. Currently claims 1, 8-11, 13-14, 16-17, and 19-21 are pending for examination.

### ***Response to Arguments***

2. Applicant's arguments with respect to amended claims 1, 8-11, 13-14, 16-17 and 19-21 have been considered but are moot in view of the new ground(s) of rejection necessitated due to amendments. This is a Final rejection.

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1, 8-11, 13-14, 16-17 and 19-21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "said global information" in line 19 of amended claim 1 on page 2 of the amendment". There is insufficient antecedent basis for this limitation

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in the claim. Since claims 8-11, 13-14, 16-17 and 19-21 are dependencies of claim 1 they will also inherit the same deficiency.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Haseltine et al. (US Patent 6,578,015), hereinafter, referred to Haseltine.

Regarding claim 1, Haseltine discloses an automated invoice management for communication with at least one biller system of a biller and at least one payer system of a payer (col.2, line 56-col.3, line 19), the automated invoice management system comprising:

a database including i) invoice data in a standardized data structure (see at least col.4, line 38-col.5, line 36, wherein the database “400” includes invoice data received from billers in their format and translated into a standard format so that the same can be viewed by a customer to make payment, ii) status information related to adjustment, approval , and payment of each invoice represented by the invoice data (see at least col.5, line 59-col.6, line 35, and iii) biller profile and payer profile information relating to

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said biller system and said payer system respectively and to the business relationship between the biller and the payer, and an invoice loader for receiving invoice data from said biller system, translating the invoice data to a standardized data structure, and storing such invoice data in the database (see at least col.4, line 38-col.6, line 35); an application server for storing at least one modular business object containing specified instructions to govern financial transactions between said biller system and said payer system based on said global information; ii) executing said business object upon instruction from at least one of the payer system and the biller system to modify at least one of the invoice data and invoice status data in accordance with the specified instructions to govern financial transactions between said biller system and said payer system included within at least one of the biller profile information and the payer profile information (see at least col.11, line 31-col.13, line 40 which discloses storing information and instructions in a main memory 704 to be executed by a processor 702 to govern financial transactions between biller and payer system based upon global information stored in database 400) and iii) replacement of said business object with another modular business object containing other specified instructions using the same said biller profile information and payer profile information to reflect an alteration of the business relationship between the biller and the payer (see at least col.6, lines 3- 35 which disclose execution of instructions to allow the payers to pay their bills or dispute bills resulting in alteration of information/status to bills viewed or paid or pending, etc.).

Regarding claims 8-11, Haseltine discloses that the database includes a database interface configured to receive messages from said selected business object in an extensible markup language format and a predetermined data schema; and the replacement business object interfaces with the database interface using the extensible markup language format and the predetermined data schema, wherein said database interface is further configured to structure and generate calls to said database for execution in standard query language format, based on said extensible markup language formatted messages received from said selected business object and to receive from said database responses to said standard query language formatted calls and said database interface is further configured to structure and generate messages to said selected business object in an extensible markup language format, based on said database responses see at least col.5, lines 26-line 36).

Regarding claims 13-14, and 16-17, Haseltine discloses that the system as claimed in claim 1 , wherein said business object is selected from the group consisting of: an object for reviewing invoices, an object for making adjustments to invoices, and an object for initiating invoice payment and wherein said payment processing system is capable of connection to a network, and wherein said biller system and said payer system comprise hardware and software for connecting to said payment processing system via said network, wherein said network is selected from the group consisting of: local area network, wide area network, internet, intranet, extranet, a Tcp/Ip-based network, a wireless network, an e-mail based network of e- mail transmitters and

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receivers, a modem-based telephonic network, and an interactive telephonic network accessible to users by telephone and wherein said payment processing system is further operable to perform an action via said network selected from the group consisting of: transmitting to said payer system said invoice data, adjudicating said invoice data, allowing said payer system to pay said biller system, and one or more of the foregoing actions in combination (see at least Fig.2 which displays the hardware and software of the biller and payer systems including connection to Internet [network] to which the biller and payor systems are connected and col.6, lines 16-32 which discloses the implementation of activities such as, reviewing invoices, making adjustment to them and initiating payment and inherently all of these activities would need programs [correspond to objects claimed in the application]) .

Regarding claim 19, Haseltine discloses that the system as claimed in claim 14, wherein said payment processing system further comprises computer-readable memory adapted for receiving and storing data and commands from said biller system and said payer system via said network (see at least col.11, line 31-col.13, line 40 which discloses storing information and instructions in a main memory 704 to be executed by a processor 702 to govern financial transactions between biller and payer system based upon global information stored in database 400).

Regarding claims 20-21, Haseltine discloses that the system as claimed in claim 1, wherein said payment processing system further comprises a security mechanism for

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restricting unauthorized access and said security mechanism is selected from the group consisting of: a digital signature, a PIN number, a password, a master key, and one or more of the foregoing in combination (see at least col.9, line 11-col.10, line 11).

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

(i) US Patent 6,032,132 to Nelson (see at least col.2, line 11-col.8, line19), US Publication 2001/0051919 A1 to Mason (see at least abstract and paragraph 0022), US Publication 2002/0082990 A1 to Jones (see at least abstract and paragraphs 0030, 0036), US Publication 2002/0184123 A1 to Sijacic et al. (see at least abstract and paragraph 0097) disclose " an automated invoice management for communication with a biller and a payor system to execute instructions from the biller and payor to facilitate payment of invoices via a communication network.

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not



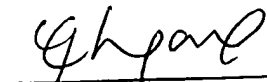
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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yogesh C Garg whose telephone number is 703-306-0252. The examiner can normally be reached on M-F(8:30-4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wynn Coggins can be reached on 703-308-1344. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Yogesh C Garg  
Primary Examiner  
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YCG/February 24, 2005

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